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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,188	11/10/2003	Yining Deng	200300270	4664
22879      7590      10/14/2008 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400				
EXAMINER AN, SHAWN S				
ART UNIT 2621		PAPER NUMBER		
NOTIFICATION DATE 10/14/2008		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM

mkraft@hp.com

ipa.mail@hp.com

### Office Action Summary

**Application No.**

10/705,188

**Applicant(s)**

DENG ET AL.

**Examiner**

SHAWN AN

**Art Unit**

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-12 and 14-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-7, 11, 12 and 14-24 is/are allowed.
- 6) ☒ Claim(s) 8-10 and 25-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/808)
- Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Request for Continued Examination***

1. The request filed on 7/30/08 for a Request for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 10/133,420 is acceptable and a RCE has been established. An action on the RCE follows.

### ***Response to Amendment***

2. As per Applicant's instructions as filed on 9/08/08, claims 2, 8 have been amended, claims 1 and 13 have been canceled, and claims 25-27 have been newly added.

### ***Response to Remarks***

3. As per Applicant's remarks with respect to amended claim 8 has been carefully considered but are moot in view of the following new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8-10 and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoover et al (2003/0128891 A1) in view of Mancuso et al (6,717,608 B1).

**Regarding claims 8 and 25**, Hoover et al discloses a camera and a method for generating a panoramic image, comprising:

an image sensor (camera, Fig. 1, 26) for capturing a series of image strips (Fig. 3, 34, 36) each encompassing a subarea (with respect to the entire panoramic image) of an image sensor used to sample (Fig. 2, 30) the panoramic image, and a processor (Fig. 1, 28) for combining the image strips into the panoramic image (46), and the series of image frames is being obtained ([0039-0041]).

Therefore, it would have been considered obvious to combine the image strips into the panoramic image (46) while the series of image frames is being obtained, since it would be very logical and efficient steps to follow in obtaining/generating a panoramic image.

Hoover does not particularly disclose capturing a series of image strips while the camera that contains the image sensor is being panned.

However, it is conventionally well known for a panoramic camera to pan the camera in order to obtain panoramic images.

Furthermore, Mancuso et al teaches panoramic digital camera comprising capturing a series of image strips/frames/pictures while the camera (Fig. 1, 100) that contains an image sensor (106) is being panned in order to provide a camera which can capture two or more images so as to create a panoramic image (Fig. 23; col. 14, lines 45-51; col. 2, lines 51-53).

Therefore, it would have been considered obvious to a person of ordinary skill in the relevant art employing a panoramic camera as taught by Hoover et al to incorporate Mancuso et al's teachings as above so as to capture a series of image strips while the camera that contains the image sensor is being panned as an alternative way to provide a camera which can capture two or more images so as to create/generate a panoramic image.

**Regarding claims 9 and 26**, Mancuso et al teaches the image strips having a set of dimensions that are selected to maintain an overlap in the image strips (Figs. 3 and 6).

**Regarding claims 10 and 27**, Mancuso et al teaches adjusting/correcting the dimensions to maintain the overlap (Fig. 7; col. 9, lines 21-50).

***Allowable Subject Matter***

6. Claims 2-7, 11-12, and 14-24 are allowed.
7. Independent claims 2, 11, 16 and dependent claims 3-7, 12, 14-15, 17-24 (by virtue of dependency) are allowed as having incorporated novel features as previously discussed in the last Office action as filed on 11/29/07.

The prior art of record fails to anticipate or make obvious the novel features as previously discussed in the last Office action as filed on 11/29/07.

Accordingly, if the amendment can be made to cancel rejected claims, the application would be placed in a condition for allowance.

***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Shawn An* whose telephone number is 571-272-7324.
9. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SHAWN AN/

Primary Examiner, Art Unit 2621

10/06/08

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